

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

BRADLEY MEDINA, et al., ) Case No.: 1:21-cv-0844 JLT EPG  
)  
Plaintiff, ) ORDER ADOPTING FINDINGS AND  
) RECOMMENDATIONS AND DENYING  
) PLAINTIFFS' APPLICATIONS TO PROCEED IN  
) FORMA PAUPERIS  
)  
v. ) (Docs. 47, 48 and 51)  
)  
COURTNEY MAPES, M.D., )  
)  
Defendant. )  
)

Bradley Medina and Svetlana Krivencheva initiated this action in which they allege claims for medical negligence, lack of informed consent, and loss of consortium pursuant to 28 U.S.C. §§2671, et seq. (Federal Tort Claims Act) against the United States of America and Courtney Mapes, M.D.<sup>1</sup> (Doc. 1.)

Plaintiffs, now proceeding *pro se*, filed separate applications to proceed *in forma pauperis* on June 14, 2023.<sup>2</sup> (Docs. 47, 48.) The assigned magistrate judge observed the filing fee was previously paid in this action and found that “Plaintiffs can afford remaining court costs in this case.” (Doc. 51 at 2-3.) Therefore, the magistrate judge recommended the motions be denied. (*Id.* at 3.) The Court served the Findings and Recommendations were served on all parties, and it notified them that any

<sup>1</sup> Plaintiffs' claims against the Government were dismissed pursuant to a stipulation on November 11, 2021. (Doc. 14.)

<sup>2</sup> Plaintiffs had previously filed a single application (Doc. 45), which the assigned magistrate denied without prejudice as to each Plaintiff filing separate and complete long-form applications (Doc. 46).

1 objections were due within 14 days of the date of service. (*Id.* at 3.) In addition, the Court advised the  
2 Plaintiffs “that failure to file objections within the specified time may result in the waiver of rights on  
3 appeal.” (*Id.*, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 839 (9th Cir. 2014), *Baxter v. Sullivan*, 923  
4 F.2d 1391, 1394 (9th Cir. 1991).) No objections were filed, and the time to do so has passed.

5 According to 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this Court conducted a *de novo*  
6 review of this case. Having carefully reviewed the entire file, the Court concludes the Findings and  
7 Recommendations are supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 8 1. The Findings and Recommendations issued on June 28, 2023 (Doc. 51) are **ADOPTED**  
9 in full.
- 10 2. Plaintiffs’ motions to proceed without the prepayment of fees and costs (Docs. 47, 48)  
11 are **DENIED**.

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13 IT IS SO ORDERED.

14 Dated: August 20, 2023

  
15 UNITED STATES DISTRICT JUDGE

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